

Entered - 11/17/00 - sb  
CL 00L0700 - GWENDOLYN BURNS

00-*R*-1902

CLAIM OF: RHOLANDA MALVEAUX  
615 Old Wheat Street, NW  
Atlanta, Georgia 30312

For damages alleged to have been sustained as a result of a vehicular accident on November 6, 2000 at 10 Peachtree Center Avenue, SE.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to RHOLANDA MALVEAUX the sum of \$1,540.93 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on November 6, 2000 at 10 Peachtree Center Avenue, SE., as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

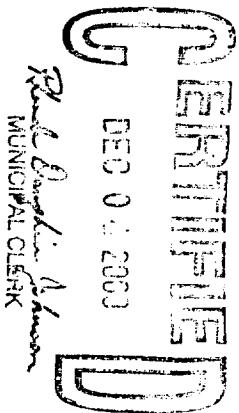
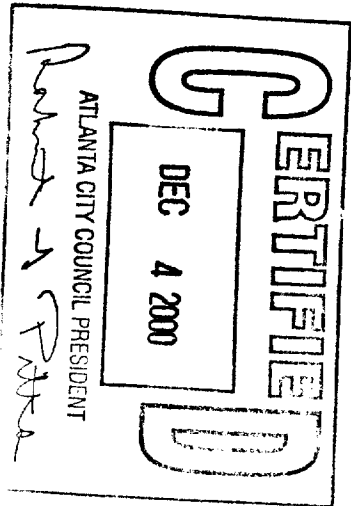
BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

AVAILABLE REPORT  
ON: *Public Safety*

*11/28/00*  
*C. T. Hart*  
*Michael R...*

CONSENT AGENDA

ADOPTED BY  
DEC 04 2000  
COUNCIL



APPROVED

DEC 13 2000  
WITHOUT SIGNATURE  
BY OPERATION OF LAW

**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

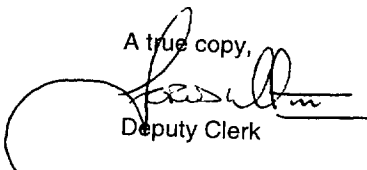
**00-R-1902**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Rholanda Malveaux** in the sum of **\$1,540.93** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a **vehicular accident on November 6, 2000 at 10 Peachtree Center Ave., SE** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

  
Deputy Clerk

**ADOPTED** by the Council  
**RETURNED WITHOUT SIGNATURE OF THE MAYOR**  
**APPROVED** as per City Charter Section 2-403

DEC 04, 2000

DEC 13, 2000

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0700

Date: November 16, 2000

Claimant /Victim RHOLANDA MALVEAUX  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 615 Old Wheat Street, NW, Atlanta, Georgia 30312  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ 1,540.93 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 11/16/00 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 11/6/00 Place: 10 Peachtree Center Avenue, SE  
Department POLICE Division \_\_\_\_\_  
Employee involved Benita Clemons Disciplinary Action: Pending Review

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was struck a city vehicle that made an "improper U-turn". The city employee was cited for same.

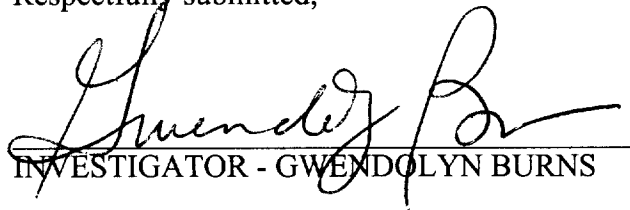
### INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report \_\_\_\_\_ Other \_\_\_\_\_  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

### BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

### RECOMMENDATION:

Pay \$ 1,540.93 Adverse \_\_\_\_\_ Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 11-17-00  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RECEIVED NOV 16 2000

BURNS  
11/16/00  
*[Signature]*

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK

City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 11/16/00

ENTERED - 11-17-00 - SB  
00L0700 - GWEN BURNS

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,245.93 property and/or \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: November 6, 2000 2. Time of Incident: 9:15 am 3. Police called: ☒ Yes ☐ No  
(month/day/ year)

4. Location of incident (including street address): \_\_\_\_\_

5. Name of your insurance company: Geico Policy No. 22910450

6. State what and how incident occurred: my vehicle was struck by a city vehicle at Central & Edgewood.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle:	<u>Honda Accord</u>	<u>96</u>	<u>GA 404 MTA</u>	<u>Ronald D. Stanberry</u>
	(Make)	(Year)	(Tag Number)	(Driver's Name)
City vehicle:	<u>Ford Ranger</u>	<u>Brenda Clemons</u>		
	(Make)	(City Driver's Name)	(Department/Bureau)	

9. Witness: \_\_\_\_\_  
(Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Rholanda Malveaux  
Signature of Claimant

Rholanda Malveaux  
(Print Claimant's Name)

615 Old Wheat St. NW  
(Address)

Atlanta GA 30312  
(City, State and Zip Code)

41330-6932 41880-0130  
(Work Number) (Home Number)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0700

\$ 1,540.93

IN CONSIDERATION of the sum of FIFTEEN HUNDRED AND FORTY AND 93/100  
                     DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby  
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever  
discharge said City, its officers and employees, including but not limited to Benita Clemons, from any  
and all claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature  
for or on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident  
which occurred on or about the 6th day of November, 2000  
at or near 10 Peachtree Center Avenue, SE.

It is further understood and agreed that the payment of the above named sum is not to be considered as an  
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the  
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,  
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,  
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment  
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by  
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this  
instrument.

WITNESS my hand and seal this 17th day of November, 2000.

Rholanda Malveaux (LS)  
**RHOLANDA MALVEAUX**

\_\_\_\_\_  
(LS)

The above release was read and explained to, and signed by the said Rholanda Malveaux  
**(Rholanda Malveaux)**  
\_\_\_\_\_  
in our presence on the date above written.

Angela B. B. B.  
Amendog B.  
WITNESSES

00- R-1902

RCS# 2434  
12/04/00  
3:58 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-19

ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	B Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	NV Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-O-1874  
00-O-1986  
00-R-1950

CONSENT

		12/04/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1289 2. 00-O-1680 3. 00-O-1792 4. 00-O-1797 5. 00-O-1003 6. 00-O-1228 7. 00-O-1795 8. 00-O-1796 9. 00-O-1860 10. 00-O-1616 11. 00-O-1853 12. 00-O-1801 13. 00-O-1963 14. 00-O-1965 15. 00-R-1788 16. 00-R-1886 17. 00-R-1953 18. 00-R-1955 19. 00-R-2009 20. 00-R-2010 21. 00-R-2011* 22. 00-R-1890 23. 00-R-1937 24. 00-R-1938 25. 00-R-1939 26. 00-R-1940 27. 00-R-1988 28. 00-R-2006 29. 00-R-2013 30. 00-R-1887 31. 00-R-2015 32. 00-R-1957 33. 00-R-1958 34. 00-R-1877 35. 00-R-2008	36. 00-R-1959 37. 00-R-1882 38. 00-R-1985 39. 00-R-1943 40. 00-R-1945 41. 00-R-1946 42. 00-R-1947 43. 00-R-1948 44. 00-R-1949 45. 00-R-1951 46. 00-R-1970 47. 00-R-2016 48. 00-R-1901 49. 00-R-1902 50. 00-R-1903 51. 00-R-1904 52. 00-R-1905 53. 00-R-1906 54. 00-R-1907 55. 00-R-1908 56. 00-R-1909 57. 00-R-1910 58. 00-R-1911 59. 00-R-1912 60. 00-R-1913 61. 00-R-1914 62. 00-R-1915 63. 00-R-1916	64. 00-R-1816 65. 00-R-1817 66. 00-R-1818 67. 00-R-1819 68. 00-R-1820 69. 00-R-1821 70. 00-R-1822 71. 00-R-1823 72. 00-R-1824 73. 00-R-1825 74. 00-R-1826 75. 00-R-1827 76. 00-R-1828 77. 00-R-1829 78. 00-R-1830 79. 00-R-1831 80. 00-R-1832 81. 00-R-1833 82. 00-R-1834 83. 00-R-1836  * President Pitts recused himself.